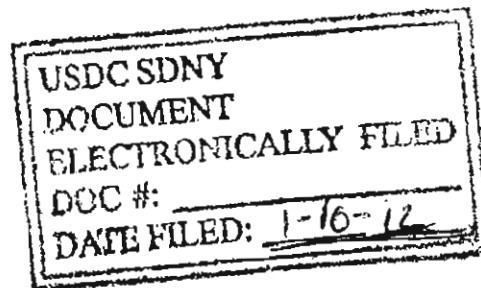


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



LEONARD SWINTON,

Plaintiff,

-against-

POLICE OFFICER MCDUGAL, et al.,

Defendants.

11 Civ. 1176 (PAC) (HBP)

REPORT AND
RECOMMENDATION

January 10, 2012

No objections have been filed to this report. The Court has reviewed it; Magistrate Judge Petrucci report is thorough, complete and correct. The Court adopts it in its entirety. The plaintiff's complaint is denied. The Clerk of the Court is directed to enter judgment and

PITMAN, United States Magistrate Judge:

TO THE HONORABLE PAUL A. CROTTY, United States District

Judge,

close this case. Enclosed is 2805C-11415-01 the Court finds that any appeal from this order would not be taken in good faith

This is a Section 1983 action brought by a now-released

prisoner, alleging a false arrest by officers of the New York City Police Department. Plaintiff commenced this action on or about February 14, 2011. At the time the action was commenced, plaintiff was in the custody of the New York State Department of Correctional Services ("DOCS"). According to the DOCS website, plaintiff was released from custody in April 2011, having completed the service of his sentence. Plaintiff was not released to parole supervision; rather, he was released without any condition or supervision.

So original
Paul Monty

USDC
11 copies Mailed
By Chamber

MEMO ENDORSED